



**In the United States Patent and Trademark Office**

Serial Number: 10/815,649  
Application. Filed: April 2, 2004  
Applicant: Kia Silverbrook, Paul Lapstun, Peter Charles Boyd Henderson, Alireza Moini, Zhenya Alexander Yourlo, Matthew John Underwood, Nicholas Damon Ridley and Jan Rusman  
Application. Title: Scanning Device for Coded Data  
Examiner/GAU: 2852

Dated September 23, 2004  
At: Balmain, NSW  
Docket No. HYJ002US

**Petition for Acceptance of Unintentionally Delayed Claim to Priority**

Commissioner for Patents  
Washington, District of Columbia 20231

Dear Sir:

The filing receipt for the abovementioned application shows the '*Domestic Priority data as claimed by applicant*' as:

"This application is a CIP of 10/309,358 12/04/2002  
and is a CIP of 10/409,864 04/09/2003".

This domestic priority data is incorrect due to an unintentional clerical error that took place at the time of compiling the application filing forms.

We confirm that the present application 10/815,649 (Docket No. HYJ002US) is a Continuation-In-Part application (CIP) of 10/778,056 (Docket No. NPS047US) only.

Consequently, we kindly request that the domestic priority data be amended to show the correct details, namely that 10/815,649 (Docket No. HYJ002US) is a CIP of 10/778,056 (Docket No. NPS047US) only.

10/14/2004 JBALINAN 00000043 10815649

01 FC:1454 1370.00 OP

10/14/2004 JBALINAN 00000002 10815649

01 FC:1453 1370.00 OP


In support of this request we enclose a replacement Declaration, a bank draft for \$1,330 covering surcharge under 37 CFR 1.17(t), and a statutory declaration by the Patent Administrator, Leonie Francis News, confirming that an unintentional clerical error took place at the time of compiling the filing application papers for this application which resulted in the present application, 10/815,649 (Docket No. HYJ002US), claiming the incorrect domestic priority data.

Finally, we respectfully submit that the first listed application in the table is the correct parent application, namely 10/778,056 (Docket No. NPS047), and the current details on the present application, ie 10/815,649 (Docket No. HYJ002US), were inadvertently inserted into the form when compiling the filing application papers, back in April.


Very respectfully,

Applicants:

  
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KIA SILVERBROOK

  
\_\_\_\_\_  
PAUL LAPSTUN


  
\_\_\_\_\_  
PETER CHARLES BOYD HENDERSON

  
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ALIREZA MOINI

  
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ZHENYA ALEXANDER YOURLO

  
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MATTHEW JOHN UNDERWOOD

  
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NICHOLAS DAMON RIDLEY

  
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JAN RUSMAN

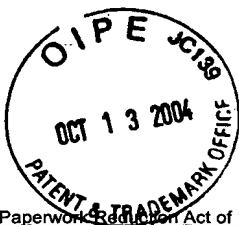
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DA C \$

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,370

## Complete if Known

Application Number 10/815,649  
Filing Date April 2, 2004  
First Named Inventor Kia Silverbrook  
Examiner Name  
Art Unit 2852  
Attorney Docket No. HYJ002US

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from	Fee Paid
				below	
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	<input type="text"/>
Multiple Dependent					<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	1,370
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,370

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

SEE ATTACHED SHEET

Registration No.

(Attorney/Agent)

Telephone \*61298186633

Signature

SEE ATTACHED SHEET

Date

September 23, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**FEE TRANSMITTAL FORM**

PTO/SB/17(10-03)

APPLICATION NO: 10/815,649

FILING DATE: April 2, 2004

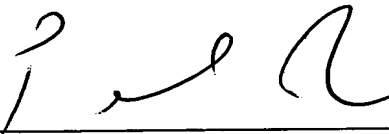
FIRST NAMED INVENTOR: Kia Silverbrook

ART UNIT: 2852

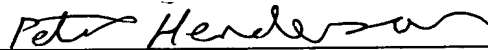
ATTORNEY DOCKET NO; HYJ002US



KIA SILVERBROOK



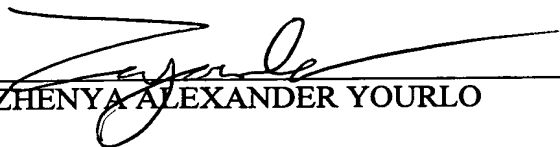
PAUL LAPSTUN



PETER CHARLES BOYD HENDERSON



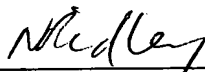
ALIREZA MOINI



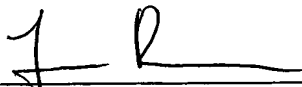
ZHENYA ALEXANDER YOURLO



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NICHOLAS DAMON RIDLEY



JAN RUSMAN



PTO/SB/21 (02-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/815,649

Filing Date April 2, 2004

First Named Inventor Kia Silverbrook

Art Unit 2852

Examiner Name

Attorney Docket Number HYJ002US

### ENCLOSURES (Check all that apply)

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>Identify below): |
|--|---|--|

#### Remarks

#### Contact Details:

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)  
Telephone: 61-2-9818 6633  
Facsimile: 61-2-9555 7762

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	SEE ATTACHED SHEET
Signature	
Date	September 23, 2004

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL FORM**

PTO/SB/21(02-04)

APPLICATION NO: 10/815,649

FILING DATE: April 2, 2004

FIRST NAMED INVENTOR: **Kia Silverbrook**

ART UNIT: 2852

ATTORNEY DOCKET NO; HYJ002US



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